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TO

Confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Rural Districts of Belfast Enniskillen and Rathdown No. 1 and the Urban District of Kinsale. A.D. 1910.

**W**HEREAS the Local Government Board for Ireland (hereinafter referred to as "the Local Government Board") have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1907:

5 And whereas it is requisite that the said Orders should be confirmed by Parliament and that the provisions herein contained should be enacted with reference to those Orders:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and  
10 Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in  
schedule  
confirmed.

15 2. The council of the urban district of Kinsale shall not under the powers of the Order relating to that district and hereby confirmed purchase or acquire in any urban district any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to  
20 the working class as tenants or lodgers or except with the consent of the Local Government Board any house or houses which were

[Bill 152]

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A.D. 1910. not so occupied on the said fifteenth day of December but have  
been or shall be subsequently so occupied.

If the said council acquire or appropriate any house or  
houses for the purposes of that Order in contravention of the  
foregoing provisions they shall be liable to a penalty of five 5  
hundred pounds in respect of every such house which penalty  
shall be recoverable by the Local Government Board by action  
in the High Court and shall be carried to and form part of the  
Consolidated Fund of the United Kingdom Provided that the  
Court may if it think fit reduce such penalty. 10

For the purposes of this section the expression "house"  
means any house or part of a house occupied as a separate  
dwelling and the expression "working class" means mechanics  
artizans labourers and others working for wages hawkers coster-  
mongers persons not working for wages but working at some 15  
trade or handicraft without employing others except members  
of their own families and persons other than domestic servants  
whose income does not exceed an average of thirty shillings a  
week and the families of any of such persons who may be  
residing with them. 20

Short title.

3. This Act may be cited as the Local Government Board  
(Ireland) Provisional Orders Confirmation (No. 4) Act 1910.

SCHEDULE.

A.D. 1910.

RURAL DISTRICT OF BELFAST.

*Provisional Order to enable the Council of the Rural District  
of Belfast to put in force the Compulsory Clauses  
of the Lands Clauses Acts.* Belfast.

WHEREAS the council of the rural district of Belfast (in this Order referred to as "the district council") require to purchase and take the lands and premises described in the schedule hereto for the purpose of providing a system of sewerage for the locality known as Upper Falls in their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

1. The district council shall be empowered to put in force with reference to the lands and premises described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 3 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them.

2. Any arbitrator appointed in pursuance of this Order shall in addition to any other powers by law vested in him have power if he thinks fit to award that a passage may be made and maintained by the district council in such manner as he shall direct over the lands and premises described in the schedule hereto for the accommodation of the adjoining land and the owners and occupiers thereof either in addition to or in substitution for other compensation.

3. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Antrim in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council.

4. This Order may be cited as the Upper Falls Sewerage Order 1910.

A.D. 1910.  
*Belfast.*

SCHEDULE.

RURAL DISTRICT OF BELFAST.  
County of ANTRIM.

Refer- ence to deposited Map.	Description of Lands.	Owners.	Lessees.	Occupiers.	5
PARISH OF SHANRILL--TOWNSHIP OF BALLYDOWNFERR.					
4	Fields (part of) containing 1r. 28p.	Earl of Shaftesbury Right Honorable Wm. G. Ellison Maurinsey.	William Bullick	William Bullick.	10
5	Field (part of) containing 3a.	Same - -	Same - -	Same.	

Given under our seal of office this sixteenth day of April in the 15  
year of our Lord one thousand nine hundred and ten.  
(L.S.) (Signed) H. A. ROBINSON.

RURAL DISTRICT OF ENNISKILLEN.

*Enniskillen. Provisional Order to enable the Council of the Rural District  
of Enniskillen to put in force the Compulsory Clauses  
of the Lands Clauses Acts.* 20

WHEREAS the council of the rural district of Enniskillen (in this  
Order referred to as "the district council") require to purchase and  
take the lands described in the schedule hereto for the purpose of  
providing a system of sewerage for Derrygonnelly in their district: 25

Now therefore We the Local Government Board for Ireland in  
pursuance of the powers given to Us by section 203 of the Public  
Health (Ireland) Act 1878 and of all other powers enabling Us in that  
behalf do hereby order that from and after the date of the Act con-  
firming this Order the following provisions shall have effect namely:— 30

1. The district council shall be empowered to put in force with  
reference to the lands described in the schedule hereto and for the  
purpose aforesaid the powers of the Lands Clauses Acts as amended  
by section 8 of the Public Health (Ireland) Act 1896 with respect to  
the purchase and taking of lands otherwise than by agreement or any  
of them, 35

2. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Fermanagh in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council.

A.D. 1910.  
*Ensisillen.*

61 & 62 Vict  
c. 37.

3. This Order may be cited as the Derrygonnelly Sewerage Order 1910.

# SCHEDULE.

RURAL DISTRICT OF ENNISKILLEN.

County of FERMANAGH.

Reference to deposited Plan.	Description of Lands.	Owners or reputed Owners.	Occupiers.
	PARISH OF DEVERISH—TOWNLAND OF DRUMADILLAR.		
47	Land containing 1a. 1r. 25p.	John McBrien Irish Land Commission.	John McBrien.

Given under our seal of office this sixteenth day of April in the year of our Lord one thousand nine hundred and ten.  
(L.S.) (Signed) H. A. ROBINSON.

# RURAL DISTRICT OF RATHDOWN No. 1.

*Provisional Order to enable the Council of the Rural District of Rathdown No. 1 to put in force the Compulsory Clauses of the Lands Clauses Acts.*

*Rathdown No. 1.*

WHEREAS the council of the rural district of Rathdown No. 1 (in this Order referred to as "the district council") require to purchase and take the lands and premises described in the schedule hereto for the purpose of providing a system of sewerage for Tillystown and other localities in their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that

41 & 42 Vict.  
c. 54.

A.D. 1910.  
Rathdown  
No. 1.

behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

1. The district council shall be empowered to put in force with reference to the lands and premises described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts 5 as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them.

2.—(a) All works to be executed for the purpose aforesaid upon or under any lands the property of the Dublin and South Eastern Railway Company (in this Order referred to as "the company") shall be carried out in accordance with plans and specifications previously approved of in writing by the engineer of the company. Provided that if the said engineer does not within one month after the said plans and specifications have been submitted to him signify his disapproval thereof to the district council in writing he shall be deemed to have approved of the same in writing but if within the period aforesaid he signifies his disapproval thereof to the district council in writing then every dispute difference or question with respect to the said plans and specifications shall be determined by an arbitrator appointed under this Article whose approval of the plans and specifications shall be a sufficient approval for the purposes of this Article. 10 15 20

(b) The company may at their option execute such of the said works as are to be executed upon or under the actual permanent way of the company and in that event all costs and expenses reasonably and properly incurred by the company in or about the execution of such works shall be paid to them by the district council on demand. 25

(c) The district council shall pay to the company on demand all costs and expenses reasonably and properly incurred by the Company in superintending the execution of any works by the district council on or under lands the property of the company. 30

(d) Any dispute difference or question arising between the company and the district council with respect to or under this Article shall be referred to the arbitration of an engineer to be appointed by the Local Government Board on the application of either party and such arbitration shall be deemed to be an arbitration under the provisions of the Public Health (Ireland) Act 1878 and the appointment of the arbitrator to be an appointment of an arbitrator made by both parties under those provisions. 35

3. The district council shall not under the powers of this Order construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the 40

59 & 60 Vict.  
c. 54.

41 & 42 Vict.  
c. 52.

A.D. 1910.  
Rathdown  
No. 1.

same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such  
5 restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the district council shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any  
10 such work be commenced or completed contrary to the provisions of this Article the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the district council and the amount of such costs and charges shall be a debt due from the district council to the Crown and shall  
15 be recoverable as a Crown debt or summarily.

4. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the district council to take use or in any manner interfere with any portion of the shore or bed of the sea  
20 or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board  
25 of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

5. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application  
30 for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Dublin in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council.

61 & 62 Vict.  
c. 37.

35 6. This Order may be cited as the Tillystown Sewerage Order 1910.

A.D. 1910.

## SCHEDULE.

Rathdown  
No. 1.

## RURAL DISTRICT OF RATHDOWN No. 1.

## County of DUBLIN.

Reference to Deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	5
PARISH OF RATHMICHAEL—TOWNLAND OF SHANGANAGH.					
1	Land (a field) containing 2a. 0r. 8p.	Captain Louis Ball.	Patrick Field.	Patrick Field.	10
2	Land containing 2a. 2r. 32p.	Same -	Same -	Patrick Field Mrs. Caldwell or Executors William Caldwell H. T. Daly Richard Kirwan George Bower the Public.	
3	Same containing 2r. 12p.	Same -	Same -	Patrick Field.	15

Given under our seal of office this eighteenth day of April in the year of our Lord one thousand nine hundred and ten.

(L.S.)

(Signed)

T. J. STAFFORD.

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## URBAN DISTRICT OF KINSALE.

*Enacted. Provisional Order to enable the Council of the Urban District of Kinsale to put in force the Compulsory Clauses of the Lands Clauses Acts.*

25

WHEREAS the urban district council of Kinsale (in this Order referred to as "the district council") require to purchase and take the lands water and rights described in the schedule hereto for the purpose of improving the supply of water for their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

1. The district council shall be empowered to put in force with reference to the lands water and rights described in the schedule

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hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with reference to the purchase and taking of lands otherwise than by agreement or any of them.

A.D. 1910.  
Kinsale.  
59 & 60 Vict.  
c. 54.

2. For the purposes of this Order the expression "land" in the Lands Clauses Acts shall include the lands water and rights described in the schedule hereto.

3. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council out of the rate applicable by that council to defray the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1907.

4. This Order may be cited as the Kinsale Order 1910.

## SCHEDULE.

### RURAL DISTRICT OF KINSALE.

#### County of CORK.

Reference to deposited Plans.	Description of Lands.	Owners.	Occupiers
PARISH OF LEIGHMONEY—TOWNSLAND OF CLOGHERY			
1	Field and bed of stream containing 3r. 6p. and right to take water of stream.	Irish Land Commission.	John Driscoll.
2	Field containing 1a. 1r. 17p. - - -	Same - - -	Same.
3	Portion of field and bed of stream containing 2r. 10p. and right to take water of stream.	Same - - -	Same.
4	Field containing 3r. 12p. - - -	Same - - -	Same.
5	Portion of field and bed of stream containing 1a. 0r. 19p. and right to take water of stream.	Same - - -	Same.
6	Portion of field and bed of stream containing 25p. and right to take water of stream.	Same - - -	Denis Leary.

A.D. 1910.

*Killeshil.*

Reference to deposited Plans.	Description of Lands.	Owners.	Occupiers.	
9	Portion of field and bed of stream containing 20p. and right to take water of stream.	Irish Land Commission.	Mrs. Mary Shea.	5
10	Portion of field and bed of stream containing 20p. and right to take water of stream.	Same - - -	Daniel Hurley.	10
PARISH OF RINGCURRAN—TOWNLAND OF PUCRANE.				
7	Portion of field and bed of stream containing 2r. 6p. and right to take water of stream.	Irish Land Commission.	Patrick Murphy.	
8	Portion of field and bed of stream containing 1r. 31p. and right to take water of stream.	Same - - -	Same.	15
PARISH OF RINGCURRAN—TOWNLAND OF ARREYLANDS.				
11	Portion of field containing 2r. - -	Reverend Thos. A. Hewitt Robert McGivern.	Mrs. Anne Leahy.	20


Given under our seal of office this eighteenth day of April in the year of our Lord one thousand nine hundred and ten.

(L.S.)

(Signed) T. J. STAFFORD.

A  
**B I L L**

To confirm certain Provisional Orders  
of the Local Government Board for  
Ireland relating to the Rural Dis-  
tricts of Belfast Enniskillen and  
Rathdown No. 1 and the Urban  
District of Kinsale.



*Presented by Mr. Attorney-General for Ireland.*

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*Ordered, by The House of Commons, to be Printed,  
26 April 1910.*

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[Bill 152]